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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/615,182	07/13/2000	J. Peter Hansen	MSFT115463	3713

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SEATTLE, WA 98101-2347

EXAMINER

WOO, ISAAC M

ART UNIT	PAPER NUMBER
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2172

DATE MAILED: 09/29/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/615,182

Applicant(s)

HANSEN ET AL.

Examiner

Isaac M Woo

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 30 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-15 and 24-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 and 24-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. This action is in response to Applicant's Reconsideration filed on June 30, 2003 have been considered but are deemed moot in view of new ground of rejections below.
2. Claims 16-23 are canceled and now reinstated. The pending claims are 1-15 and 24-31.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-15 and 24-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Salkewicz et al (U.S. Patent No. 5,970,502, hereinafter, "Salkewicz").

With respect to claims 1, 8 and 27, Salkewicz discloses the method for dynamically synchronizing (col. 2, lines 33-56) a duplicated database stored on a server (source database, FIG.1, FIG. 5) and a client computer (destination database, FIG.1, FIG.5, col. col. 6, lines 19-31), wherein the client computer database comprises a last

server access time and a plurality of data objects and the server computer database comprises a creation time and a plurality of data objects, see (col. 23-48);

downloading the server computer database to the client computer, if the client computer database last server access time indicates a time that is earlier than a time indicated by the creation time of the server computer database, see (col. 1, lines 46-65, col. 7, lines 55-65, col. 7, lines 1-10, new server database creation time is obviously later than last access time (synchronization time));

selectively downloading data objects stored in the server computer database to the client computer database, if the client computer database last server access time indicates a time that is not earlier than a time indicated by the creation time of the server computer database, see (col. 10, lines 23-54, up-to-date database records transmitted means that there were synchronization (access) before, thus, only updated (selectively) database records are downloaded); deleting the server computer database if the server computer contains a database and if the received command dictates that the server computer database be deleted, see (col. 9, lines 12-42); copying (synchronization) a client computer database to the server computer, if the received command dictates that the client computer database be copied to the server computer, see (col. 2, lines 33-55, col. 3, lines 52-67 to col. 4, lines 1-49). Salkewicz does not explicitly disclose the step of "receiving a command for determining a database configuration". However, Salkewicz discloses the database modification request received, see (col. 3, lines 63-67 to col. 4, lines 1-19, col. 3, lines 13-15), which teaches that receiving a command for database configuration (modification request). Therefore, it would have been obvious a person

having ordinary skill in the art the time invention was made to include "receiving a command for determining a database configuration" in the system of Salkewicz to have system to configure database for modification. Because the database management has basic commands, such as (delete, update, copy, etc), which provides database management manipulation for such as sql.

With respect to claims 2, 9 and 28, Salkewicz discloses the updating the last server access time stored in the client computer database, wherein the updated last server access time corresponds to a clock time maintained by the server computer, see (col. 10, lines 23-54).

With respect to claims 3, 10 and 29, Salkewicz discloses the transmitting, from the client computer to the server computer, the last server access time stored on the client computer database, see (col. 10, lines 23-54).

Claims 4 and 11, are rejected on grounds corresponding to the reasons given above claimed in claim 1.

With respect to claims 5 and 12-13, Salkewicz discloses the determining if the client computer database last server access time is within a predetermined period of time ninety days from a clock time maintained by the server computer; and downloading the server computer database to the client computer, if the client computer database

last server access time is not within a predetermined period of time from a clock time maintained by the server computer, see (col. 1, lines 46-65, col. 7, lines 55-65, col. 7, lines 1-10, col. 10, lines 23-54).

With respect claims 6 and 7, Salkewicz discloses the limitation of computer-readable medium containing computer-readable instructions which, when executed by a computer, perform the method of any one of Claims 1-5 for claim 6 and the limitation of computer-controlled apparatus for performing the method of any one of Claims 1-5 for claim 7 above claimed in 1-5. Thus, claims 6 and 7 are rejected for the reason set forth above claimed in claims 1-5.

With respect claims 14 and 15, Salkewicz discloses the limitation of computer-readable medium containing computer-readable instructions which, when executed by a computer, perform the method of any one of Claims 8-13 for claim 14 and the limitation of computer-controlled apparatus for performing the method of any one of Claims 8-13 for claim 15 above claimed in 8-13. Thus, claims 14 and 15 are rejected for the reason set forth above claimed in claims 8-13.

With respect to claims 24-26, Salkewicz discloses the method for initializing a database system having one client computer and a server computer, determining if the server computer contains a database, see (FIG. 1, FIG. 5, col. 3, lines 51-67 to col. 4, lines 1-49), deleting the server computer database if the server computer contains a

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database and if the received command dictates that the server computer database be deleted; and copying a client computer database to the server computer, if the received command dictates that the client computer database be copied to the server computer, see (col. 9, lines 12-42, synchronization, col. 2, lines 33-55, col. 3, lines 52-67 to col. 4, lines 1-49). Salkewicz does not explicitly disclose the step of "receiving a command for determining a database configuration". However, Salkewicz discloses the database modification request received, see (col. 3, lines 63-67 to col. 4, lines 1-19, col. 3, lines 13-15), which teaches that receiving a command for database configuration (modification request). Therefore, it would have been obvious a person having ordinary skill in the art the time invention was made to include "receiving a command for determining a database configuration" in the system of Salkewicz to have system to configure database for modification. Because the database management has basic commands, such as (delete, update, copy, etc), which provides database management manipulation for such as sql.

Claims 30-31 (computer-readable medium claim and computer apparatus claim, respectively) are rejected for the reasons set forth above in claimed in claim 27-29.


***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Isaac M Woo whose telephone number is (703) 305-0081. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y Vu can be reached on (703) 305-4393. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

IMW  
September 11, 2003

  
SHAHID ALAM  
PRIMARY EXAMINER